



U.S. Department of Justice

*United States Attorney  
District of New Jersey*

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Newark, NJ 07102

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October 15, 2009

Via Electronic & Regular Mail

Michael G. Chalos, Esq.  
Chalos, O'Connor & Duffy  
366 Main Street  
Port Washington, New York 11050-3120

*As Ordered  
Peter M. Hirsch  
10/16/09*

Re: U.S. v. Dalnave Navigation, Inc. et al.

*Cr. 09-130-(01) PGS)*

Dear Mr. Chalos:

The Government has received your letter of October 2, 2009, in which your client, Dalnave Navigation Inc. (hereinafter, "Dalnave"), submitted its nominees for the External Audit Group ("EAG") and Court Appointed Monitor/Third Party Auditor ("CAM/TPA") in accordance with sections VII and V of the Environmental Compliance Plan ("ECP"). Although not explicitly stated, because your letter nominated entities for the role as CAM/TPA, the Government is operating under the assumption that Dalnave is exercising its option to have the CAM serve concurrently as the TPA, consistent with Section V of the ECP.

Upon review of the information submitted in your letter, and pursuant to the provisions of the ECP, the Government selects Ecology and Environment, Inc., to serve as the EAG. Further, the Government selects ECM Maritime Services, LLC, to serve as the CAM/TPA.

By this letter, the Government also notifies the U.S. Probation Office, District of New Jersey, of the Government's selection. The Government will ask the Court to appoint ECM Maritime Services, LLC, to serve as the CAM.

Very truly yours,

PAUL J. FISHMAN  
United States Attorney

/s/

By: Kathleen P. O'Leary  
Assistant United States Attorney

cc: The Honorable Peter G. Sheridan, U.S.D.J. (via e-mail)  
Tom Leaken, U.S. Probation Officer (via email)  
Mr. Gary Donner, U.S. DOJ (via email)  
CDR Chris Mooradian, First CG District (via email)  
LCDR Channing Burgess, Commandant (CG-5432) U.S. Coast Guard  
(via email)